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Telephone (352) 375-8100
Facsimile (352) 372-5800

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Examiner: David Paul Stitzel

FROM: Margaret Efron

COMPANY: U.S. Patent Office
Art Unit 1616

DATE: August 29, 2006

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NO. OF PAGES
(INCLUDING COVER SHEET): 3

SUBJECT/MESSAGE:

Re: Serial No. 10/788,541; filed February 27, 2004
Attorney Docket No. MELK-103

1. Election Under 35 USC §121 (2 pages)

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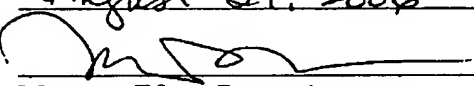
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I hereby certify that this correspondence is being
facsimile transmitted to the United States Patent
and Trademark Office on the date shown below:

August 29, 2006
Margaret Efron, Patent Attorney

ELECTION UNDER 35 USC § 121
Examining Group 1616
Patent Application
Docket No. MELK-103
Serial No. 10/788,541

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : David Paul Stitzel
Art Unit : 1616
Applicant : Richard J. Melker
Serial No. : 10/788,541
Filed : February 27, 2004
For : Materials and Methods for Creating Customized Compositions Having a
Temporary Visual Indicator

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION UNDER 35 USC §121

Sir:

In response to the written Election/Restriction requirement dated August 11, 2006, the applicant hereby elects to prosecute the Group II claims (claims 16-18) drawn to a customized composition comprising a temporary visual indicator with a material to form said customized composition. The applicant further elects "herbicides" as the material and "erthyrosine powder" as the temporary visual indicator.

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Docket No. MELK-103
Serial No. 10/788,541

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Respectfully submitted,



Margaret Efron
Patent Attorney
Registration No. 47,545
Phone No.: 352-375-8100
Fax No.: 352-372-5800
Address : P.O. Box 142950
Gainesville, FL 32614-2950

MHE/la

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